

(2)

Notice of Allowability	Application No.	Applicant(s)	
	10/612,117	SRIVASTAVA ET AL.	
	Examiner	Art Unit	
	Glenn Zimmerman	2879	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to December 10, 2004.
2. ☒ The allowed claim(s) is/are 1-24.
3. ☒ The drawings filed on 02 July 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

DETAILED ACTION

Election/Restrictions

Applicant's election of Group I claims 1-20, 23 and 24 in the reply filed on December 10, 2004 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)).

Allowable Subject Matter

Claims 1-24 are allowed.

Regarding claim 1, the following is an examiner's statement of reasons for allowance: The prior art of record neither shows nor suggests a lighting apparatus including the combination of all the limitations as set forth in claim 1, and specifically a green emitting phosphor comprising $\text{Na}_2(\text{Ln}_{1-y-z}\text{Ce}_y\text{Tb}_z)_2\text{B}_2\text{O}_7$ wherein Ln is selected from the group consisting of La, Y, Gd, Lu, Sc and combinations thereof and wherein $y = 0.01-0.3$ and $z = 0.01-0.3$ could not be found elsewhere in prior art.

Regarding claims 2-15, claims 2-15 are allowed for the reasons given in claim 1, because of their dependency status on claim 1.

Regarding claim 16, the following is an examiner's statement of reasons for allowance: The prior art of record neither shows nor suggests a composition of matter including the combination of all the limitations as set forth in claim 16, and specifically

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$\text{Na}_2(\text{Ln}_{1-y-z}\text{Ce}_y\text{Tb}_z)_2\text{B}_2\text{O}_7$ wherein Ln is selected from the group consisting of La, Y, Gd, Lu, Sc and combinations thereof and wherein $y = 0.01-0.3$ and $z = 0.00-0.3$ could not be found elsewhere in prior art.

Regarding claims 17-20, claims 17-20 are allowed for the reasons given in claim 16, because of their dependency status on claim 16.

Regarding claim 21, the following is an examiner's statement of reasons for allowance: The prior art of record neither shows nor suggests a method for forming a lighting apparatus including the combination of all the limitations as set forth in claim 21, and specifically a green emitting phosphor comprising $\text{Na}_2(\text{Ln}_{1-y-z}\text{Ce}_y\text{Tb}_z)_2\text{B}_2\text{O}_7$ wherein Ln is selected from the group consisting of La, Y, Gd, Lu, Sc and combinations thereof and wherein $y = 0.01-0.3$ and $z = 0.00-0.3$ could not be found elsewhere in prior art.

Regarding claim 22, claim 22 is allowed for the reasons given in claim 21, because of its dependency status on claim 22.

Regarding claim 23, the following is an examiner's statement of reasons for allowance: The prior art of record neither shows nor suggests a phosphor blend including the combination of all the limitations as set forth in claim 23, and specifically a green emitting phosphor comprising $\text{Na}_2(\text{Ln}_{1-y-z}\text{Ce}_y\text{Tb}_z)_2\text{B}_2\text{O}_7$ wherein Ln is selected from the group consisting of La, Y, Gd, Lu, Sc and combinations thereof and wherein $y = 0.01-0.3$ and $z = 0.00-0.3$ could not be found elsewhere in prior art.

Regarding claim 24, claim 24 is allowed for the reasons given in claim 23, because of its dependency status on claim 23.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Ueda et al. U.S. Patent 6,676,853 disclose Phosphor for Vacuum Ultraviolet Excitation Material. Buchanan et al. U.S. Patent 5,108,959 disclose Terbium Activated Borate Luminescent Glasses Coactivated with Gadolinium Oxide.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Glenn Zimmerman whose telephone number is (571) 272-2466. The examiner can normally be reached on M-W 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nimesh D Patel can be reached on (571) 272-2457. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Glenn Zimmerman



Vip Patel
Primary Examiner
AU 2879